

HON. JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

VALVE CORPORATION,

Plaintiff,

v.

LEIGH ROTHSCHILD, ROTHSCHILD  
BROADCAST DISTRIBUTION SYSTEMS,  
LLC, DISPLAY TECHNOLOGIES, LLC,  
PATENT ASSET MANAGEMENT, LLC,  
MEYLER LEGAL, PLLC, AND SAMUEL  
MEYLER,

Defendants.

Case No. 2:23-cv-1016

**JOINT NOTICE TO WITHDRAW  
PENDING MOTION TO DISMISS  
(DKT. 67)**

Complaint Filed: 07/07/2023

Pursuant to LCR 7(l), Plaintiff Valve Corporation (“Valve”) and Defendants Leigh Rothschild; Rothschild Broadcast Distribution Systems, LLC; Display Technologies, LLC (“DT”); Patent Asset Management, LLC; Meyler Legal, PLLC; and Samuel Meyler (collectively, “Defendants”) (Plaintiff and Defendants collectively referred to as “the Parties”) hereby file this Joint Notice to Withdraw Valve’s Pending Motion to Dismiss (Dkt. 67).

On January 16, 2024, Valve filed its Second Amended Complaint against Defendants. Dkt. 38. Among other claims, Valve alleges that Defendants violated RCW 19.86 Washington Unfair Business Practices and RCW 19.350 Bad Faith Assertions of Patent Infringement (also referred to as the Washington Patent Troll Prevention Act). Dkt. 38 at § VIII; RCW 19.350.900.

1 On October 17, 2024, Defendants filed their Answer and Counterclaims, including a  
2 counterclaim brought by DT for business defamation. Dkt. 59, ¶¶ 33-36.

3 Pursuant to the Court's Chamber Procedures § 5.6, the Parties met and conferred on  
4 October 29 regarding Valve's intended motion to dismiss and motion to strike. The Parties further  
5 conferred via email on October 31 and November 11. Dkt. 67-2.

6 On November 15, 2024, Defendants filed an Amended Answer and Counterclaims, and DT  
7 did not amend or withdraw its counterclaim for business defamation. Dkt. 63, ¶ 30.

8 Pursuant to the Court's Chamber Procedures § 5.6, the Parties further conferred via email,  
9 including regarding Valve's intention to move to dismiss DT's counterclaim for business  
10 defamation. Dkt. 67-3. DT did not amend or withdraw its counterclaim.

11 On December 20, 2024, Valve filed its Motion to Dismiss DT's business defamation  
12 counterclaim. Dkt. 67.

13 On January 21, 2025, instead of responding to Valve's motion, DT agreed to withdraw its  
14 business defamation counterclaim against Valve without prejudice. Dkt. 70.

15 To withdraw DT's business defamation counterclaim, Defendants are required to amend  
16 their Amended Answer and Counterclaims.

17 To avoid unnecessarily prolonging the pleading stage and mooted Valve's co-pending  
18 Motion to Strike (Dkt. 66), the Parties agree that within seven (7) days of the Court's order on  
19 Valve's Motion to Strike (Dkt. 66), Defendants will amend their Amended Answer to Plaintiff's  
20 Second Amended Complaint to remove DT's business defamation counterclaim and make any  
21 additional changes required by the Court's order, if any.

22 In light of this agreement, Valve hereby withdraws its pending Motion to Dismiss (Dkt. 67),  
23 noted for consideration on January 31, 2025 (Dkt. 69). Valve's withdrawal is without prejudice if  
24 DT fails to remove its business defamation counterclaim or if DT reasserts any claim for business  
25 defamation in the future.

1 DATED: January 30, 2025

Respectfully submitted,

2  
3 By: /s/ Dario A. Machleidt

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Attorneys for Plaintiff

VALVE CORPORATION

10 DATED: January 30, 2025

Respectfully submitted,

11  
12 By: /s/ Donald R. McPhail

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